

REMARKS

Claims 6, 7, 9 and 10 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, and 3-12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

The Examiner has indicated indefiniteness in the claims stemming from inconsistent usage of plural and singular forms. In particular, the Examiner has indicated non-agreement between a plural subject "layers" and singular verbs "functions", "is", "includes", and "has".

Applicant regrets the error in conjugation, and has amended each of the pending claims wherever appropriate to remove confusion and provide the definite language that particularly points out and distinctly claims the subject matter which Applicant regards as the invention. In particular, each of the independent claims 6, 7, and 9 now provide grammatically correct subject verb conjugation in the plural form, except where a singular subject, such as "each" or "one of said ..." has been employed. Further, Applicant has identified additional misalignments in the now independent claims and dependent claim 10, and has taken further steps to correct these linguistic misalignments. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn as claims 6-7 and 9-10 now particularly



point out and distinctly claim the subject matter which Applicant regards as the invention.

REJECTION UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1, 4-5, and 11-12 under 35 U.S.C. §102(b) as being unpatentable over Suzuki (JP. 5-13446). This rejection is respectfully traversed.

Applicant respectfully notes that the rejection under 35 U.S.C §102(b) has been rendered moot by cancellation of claims 1, 4-5, and 11-12. Applicant therefore respectfully requests that the rejection under 35 U.S.C §103 be withdrawn.

REJECTION UNDER 35 U.S.C. § 103

The Examiner has rejected claims 3 and 8 under 35 U.S.C. §103 as being unpatentable over Suzuki (JP. 5-13446) in view of Hiroyuki et al. (JP. 06-349860). This rejection is respectfully traversed.

Applicant respectfully notes that the rejection under 35 U.S.C §103 has been rendered moot by cancellation of claims 3 and 8. Applicant therefore respectfully requests that the rejection under 35 U.S.C §103 be withdrawn.

ALLOWABLE SUBJECT MATTER

The Examiner has objected to claims 6-7 and 9-10, and indicated that these claims would be allowable if rewritten to overcome the Rejection under 35 U.S.C. §112, second paragraph, including all of the limitations of the base claims and each of the intervening claims in the respective chains of dependency. Applicant respectfully notes

B


that each of the now independent claims 6, 7, and 9 have been rewritten to overcome the Rejection under 35 U.S.C. §112, second paragraph, including all of the limitations of the base claims and each of the intervening claims in the respective chains of dependency. Further, dependent claim 10 has been rewritten to overcome the Rejection under 35 U.S.C. §112, second paragraph. Applicant therefore respectfully requests that claims 6-7 and 9-10 be allowed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 18, 2003

By: 
Jennifer S. Brooks
Reg. No. 51,501

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

